

**REMARKS**

Reconsideration of all grounds of rejection and allowance of the pending claims are respectfully requested in light of the above amendments and the following remarks.

Claims 1-4 and 6-11 remain pending herein, as shown above.

(1) Claims 1, 6 and 11 stand rejected under 35 U.S.C. §103(a) over Linder (W/O 98/01956), already of record.

Applicants have amended base claims 1, 7 and 11 to recite the audio signal input to the microphone includes a speech signal and background noise, and the two audio signals of the other sources are primarily background noise. Furthermore, the audio cancellation module cancels the background noise of the two audio signals (which may and/or may not be external) leave a remainder of the signal input to the microphone comprising primarily a speech signal. Support is found at least at page 2, lines 9-12 and lines 25-28.

It is respectfully submitted that Linder fails to disclose or suggest that certain audio signals are primarily background noise whereas other signals are a compilation of speech and background noise, and that a cancellation module leaves primarily speech from the audio signal input to the microphone.

For at least this reason, it is respectfully submitted that an artisan would not have found any of claims 1, 6 or 11 to have been obvious in view of Linder. Reconsideration and withdrawal of this ground of rejection are respectfully requested.

(2) Claims 1 and 7 stand rejected under 35 U.S.C. §103(a) over Eriksson (U.S. 5,033,082) in view of Linder. For the reasons indicated in paragraph (1), the amendments to claims 1 and 7 clarify the claimed invention such that the combination of Eriksson and Linder fails to disclose the constitution of the audio signals that are primarily background noise and the audio signal input to the microphone that is primarily a speech signal and some background noise. The combination of Eriksson and Linder fails suggest or motivate the artisan such that either of claims 1 or 7 would have been obvious at the time of invention. Reconsideration and withdrawal of this ground of rejection are respectfully requested.

(3) Claims 2, 3 and 8 stand rejected under 35 U.S.C. §103(a) as allegedly being obvious over Eriksson (U.S. 5,033,082) in view of Linder. Applicants respectfully submit that base claims 1, 7 and 11 are believed to allowable, and as such claims 2, 3 and 8 are also allowable at least for their dependency on an allowable base claim. For at least this reason, reconsideration and withdrawal of this ground of rejection are respectfully requested.

(4) Claim 4 stands rejected under 35 U.S.C. §103(a) over Eriksson in view of Linder and further in view of Allen et al. Applicants respectfully submit that base claims 1, 7 and 11 are believed to allowable, and as such claim 4 is also allowable at least for dependency on an allowable base claim 1. Reconsideration and withdrawal of this ground of rejection are respectfully requested.

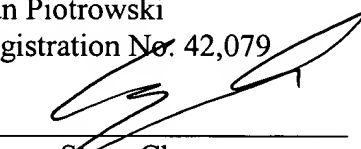
(5) Claims 9-10 stand rejected under 35 U.S.C. §103(a) over Eriksson, in view Linder and Houser et al. (U.S. 5,744,859, hereafter "Houser"). Applicants respectfully submit that base claims 1, 7 and 11 are believed to allowable, and as such claims 9 and 20 depend from base claim 7, so that said claims are believed to be allowable at least for their dependency on an allowable base claim. Reconsideration and withdrawal of this ground of rejection are respectfully requested.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

Dan Piotrowski  
Registration No. 42,079

Date: November 3, 2003

  
By: Steve Cha  
Attorney for Applicant  
Registration No. 44,069

**Mail all correspondence to:**

Dan Piotrowski, Registration No. 42,079  
US PHILIPS CORPORATION  
P.O. Box 3001  
Briarcliff Manor, NY 10510-8001  
Phone: (914) 333-9624  
Fax: (914) 332-0615

**Certificate of Mailing Under 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to MAIL STOP NON-FEE AMENDMENTS, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA. 22313 on November 3, 2003.

Steve Cha, Reg. No. 44,069  
(Name of Registered Rep.)

  
(Signature and Date)